

40 CFR Parts 268 and 271**[FRL-4514-3]****Land Disposal Restrictions "No Migration" Variances**

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule and notice of availability; extension of comment period.

SUMMARY: The Environmental Protection Agency (EPA or Agency) is extending the comment period on the proposed land disposal restrictions "no migration" variances rule, which appeared in the **Federal Register** on August 11, 1992 (see 57 FR 35940). This extension of the comment period is provided to allow commenters an opportunity to complete their review and responses to the Agency's proposed rule.

DATES: EPA will accept public comments on the proposed rule and notice of availability until October 23, 1992. Comments postmarked after the close of the extended comment period will be stamped "late."

ADDRESSES: Comments should be addressed to the docket clerk at the following address: U.S. Environmental Protection Agency, RCRA Docket (Room 2427) (OS-305), 401 M Street, SW., Washington, DC 20460. One original and two copies should be sent and identified at the top by regulatory docket reference number F-92-NMVP-FFFFF. The Docket is open from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. The public must make an appointment to review docket materials, and should call the docket clerk at (202) 260-9327 for appointments. The public may copy, at no cost, a maximum of hundred pages of material from any one regulatory docket. Additional copies are \$0.15 per page.

Copies of the guidance manual for no migration petitioners can be obtained from the National Technical Information Service (NTIS), U.S. Department of Commerce, Springfield, Virginia 22161, at (703) 487-4600; No Migration Guidance (NTIS PB92-207 695).

FOR FURTHER INFORMATION CONTACT: For general information about this proposed rulemaking, contact the RCRA Hotline, Office of Solid Waste (OS-305), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (800) 424-9346 (tollfree) or (703) 920-9810 in the Washington, DC, metropolitan area.

For information on aspects of this proposed rule pertaining to No

Migration, contact Dave Reeves, Office of Solid Waste (OS-343), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 260-4692.

For information on aspects of this proposed rule pertaining to control of organic air emissions from no migration units under RCRA Section 3004(n), contact Kent C. Hustvedt, Office of Air Quality Planning and Standards (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina, 27711, (919) 541-5395.

SUPPLEMENTARY INFORMATION: On August 11, 1992, EPA proposed its interpretation of the "no migration" variance to the Congressional mandated restrictions on land disposal of hazardous waste. In addition, EPA proposed procedural and substantive requirements for petitioning the Agency and demonstrating that there will be "no migration" from a land disposal unit. Also, the Agency proposed standards that would limit organic air emissions from land treatment, landfill, and waste pile units for those petitioners that have successfully demonstrated "no migration" and have received a variance from restrictions on land disposal of hazardous waste. Finally, in this proposed notice, the Agency announced the availability of a draft guidance manual for petitioners seeking to make no migration demonstration, entitled *No Migration Variances to the Hazardous Waste Land Disposal Prohibitions: A Guidance Manual for Petitioners* (U.S. EPA, Draft, July 1992). These actions are in response to amendments to the Resource Conservation and Recovery Act (RCRA), enacted through the Hazardous and Solid Waste Amendments of 1984 (HSWA). See 57 FR 35940 for a more detailed explanation of the Agency's proposal.

Since publication, the Agency has received a request from several commenters to extend the comment period because additional time is needed to review the proposed rule and the guidance document. The Agency considered the request and has decided to extend the comment period for 30 days to allow the commenters additional time to review the proposed rule. The public comment period for the proposed rule was originally scheduled to end on September 25, 1992. Today's notice extends the public comment period for the proposed rule to allow commenters an opportunity to finalize their review and responses to the Agency's proposed rulemaking.

Dated: September 23, 1992.

Richard J. Guimond,

Acting Assistant Administrator, Office of Solid Waste and Emergency Response (OSWER).

[FR Doc. 92-23600 Filed 9-25-92; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 300**[FRL-4512-3]****National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List**

AGENCY: Environmental Protection Agency.

ACTION: Notice of intent to delete the Suffern Village Well Field Site from the National Priorities List: Request for comments.

SUMMARY: The Environmental Protection Agency (EPA) Region II announces its intent to delete the Suffern Village Well Field site (Site) from the National Priorities List (NPL) and requests public comment on this action. The NPL is Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. EPA and the State of New York have determined that no further cleanup by responsible parties is appropriate under CERCLA. Moreover, EPA and the State have determined that CERCLA activities conducted at the Site to date have been protective of public health, welfare, and the environment.

DATES: Comments concerning this Site may be submitted on or before October 30, 1992.

ADDRESSES: Comments may be mailed to: Ms. Kathleen C. Callahan, Director, Emergency and Remedial Response Division, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, Room 737, New York, New York 10278.

Comprehensive information on this Site is contained in the EPA Region II public docket, which is located at EPA's Region II office, and is available for viewing, by appointment only, from 9 a.m. to 5 p.m., Monday through Friday, excluding holidays. To request an appointment to review the public docket, please contact: Mr. Richard Kaplan, Remedial Project Manager, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, Room 2930, New York, New York 10278, (212) 264-3819.

Background information from the Regional public docket is also available for viewing at the Site's Administrative Record repositories located at: Suffern Free Library, Maple and Washington, Suffern, New York 10901 and Suffern Village Town Hall, 61 Washington Avenue, Suffern, New York 10901.

FOR FURTHER INFORMATION CONTACT: Mr. Ricahrd Kaplan at (212) 264-3819.

SUPPLEMENTARY INFORMATION:

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I. Introduction

EPA Region II announces its intent to delete the Site from the NPL and requests public comment on this action. The NPL constitutes Appendix B to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of remedial actions financed by the Hazardous Substances Superfund Response Trust Fund (FUND). Pursuant to § 300.425(e)(3) of the NCP, any site deleted from the NPL remains eligible for Fund-financed remedial actions, if conditions at the Site warrant such action.

EPA will accept comments concerning this Site for thirty (30) days (or until October 30, 1992) after publication of this notice in the **Federal Register**.

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses how the Site meets the deletion criteria.

II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete sites from the NPL. In accordance with 40 CFR 300.425 (e), sites may be deleted from the NPL where no further response is appropriate. In making this determination, EPA will consider whether any of the following criteria has been met:

(i) EPA, in consultation with the State, has determined that responsible or other parties have implemented all appropriate response actions required; or

(ii) All appropriate Fund-financed responses under CERCLA have been implemented and EPA, in consultation with the State, has determined that no further cleanup by responsible parties is appropriate; or

(iii) Based on a remedial investigation, EPA, in consultation with the State, has determined that the release poses no significant threat to public health or to the environment and, therefore, taking remedial measures is not appropriate.

III. Deletion Procedures

The NCP provides that EPA shall not delete a site from the NPL until the State in which the release was located has concurred, and the public has been afforded an opportunity to comment on the proposed deletion. Deletion of a site from the NPL does not affect responsible party liability or impede agency efforts to recover costs associated with response efforts. The NPL is designed primarily for informational purposes and to assist Agency management.

EPA Region II will accept and evaluate public comments before making a final decision to delete. The Agency believes that deletion procedures should focus on notice and comment at the local level. Comments from the local community may be most pertinent to deletion decisions. The following procedures were used for the intended deletion of the Site:

1. EPA Region II has recommended deletion and has prepared the relevant documents. EPA has also made all relevant documents available in the Regional office and local site information repositories.
2. The State of New York has concurred with the deletion decision.
3. Concurrent with this national Notice of Intent to Delete, a notice has been published in local newspapers and has been distributed to appropriate Federal, State and local officials, and other interested parties. This notice announces a thirty (3) day public comment period on the deletion package starting on September 30, 1992 and concluding on October 30, 1992.

The comments received during the comment period will be evaluated before any final decision is made. EPA Region II will prepare a Responsiveness Summary which will address the comments received during the public comment period.

If after consideration of these comments, EPA decides to proceed with deletion, the EPA Regional Administrator will place a Notice of Deletion in the **Federal Register**. The NPL will reflect any deletions in the

next final update. Public notices and copies of the Responsiveness Summary will be made available to local residents by Region II.

IV. Basis for Intended Site Deletion

The Suffern Village Well Field Site is located in the Town of Ramapo, approximately 0.25 miles north of the New York-New Jersey border in Rockland County, New York. The Site includes a municipal water supply well field operated by the Village of Suffern, and a facility (Tempcon Corp.), approximately 2500 feet from the Well Field, from which hazardous substances were released or threatened to be released.

The Village operates four production wells that supply water at an average of approximately 1.8 million gallons per day. Recharge to the wells is derived principally from induced infiltration of water from the Ramapo River. Volatile organic contamination of the Well Field was first detected in tap water collected from the municipal distribution system in September 1978. Subsequent monitoring activities by the village, the Rockland County Department of Health (RCDOH) and the New York State Department of Environmental Conservation (NYSDEC), confirmed that ground water had become contaminated with 1,1,1-trichloroethane (TCEA), a volatile organic compound (VOC). Three of the Village's wells, with TCEA levels ranging from 90 to 114 parts per billion (ppb), were shut down in December 1978. Water supply requirements were provided by the remaining well which had TCEA levels significantly below the New York State Department of Health (NYSDOH) guideline of 50 ppb. (This guideline was revised to a standard of 5 ppb in January 1989).

In December 1978, RCDOH tentatively identified Tempcon Corp., a small oil burner reconditioning business, as a user of TCEA and a potential source of the TCEA contamination. In January 1979, Tempcon Corp. ceased disposing of TCEA into a seepage disposal pit located on its property and stopped using TCEA-based cleaning products. In March 1979, at the direction of RCDOH, Tempcon Corp. performed remedial measures including the removal of waste materials from its disposal pit and the excavation and devolatilization of contaminated soils. The Village constructed a spray aeration treatment system later that year to remove TCEA from the municipal water supply.

The system was operated until early 1985, when monitoring results indicated that TCEA levels were within the NYSDOH guideline of 50 ppb;

subsequently, TCEA concentrations remained below the guideline with only occasional excursions.

The Site was proposed for the NPL on October 10, 1984, and placed on the NPL on June 1, 1986. In March 1985, EPA entered into a cooperative agreement with New York State, which provided for the performance of an RI/FS by NYSDEC at the Site. In April 1986, DEC retained ERM-Northeast to perform this work.

The scope of the RI field work included extensive sampling of ground water, surface water, sediment, surface soil and ambient air. Analyses for metals, other inorganic, semivolatiles, and VOCs other than TCEA indicated that these substances were not a threat to human health or the environment. The only pathway of concern was ground water, bearing TCEA and degradation products, migrating southward from the Tempcon Facility and the E-well location (a monitoring well approximately 700 ft. southeast of Tempcon.)

A Feasibility Study was conducted during which a solute transport model (the "Suffern Aquifer Model") was developed to predict contaminant concentration profiles as a function of time.

The EPA community relations activities at the Site included a public meeting on August 19, 1987 to present the results of the RI/FS, and the preferred alternative. Public comments were received and addressed.

The Record of Decision (ROD) dated September 25, 1987 selected a "No Action" alternative based on the conclusion that contaminant levels had been naturally attenuating and the Suffern Aquifer Model predicted continued decreases in contaminant level down to approximately 1 ppb within 10 years and below 5 ppb within 4 years. A two-year monitoring program was planned to confirm the validity of the No Action alternative and to verify the predicted results of the Suffern Aquifer Model, as well as to ensure that the remedy was protective of human health and the environment.

Suffern Village installed a granular activated carbon adsorption unit and a manganese filtration unit to its existing water system, which has been in operation since the spring of 1990. This was necessitated by the revised January 1989 NYSDOH standard for TCEA concentrations in public water supplies of 5 ppb.

The first-year monitoring program was concluded in October 1990, and a report was issued in May 1991. After thorough review of the results, NYSDEC and EPA determined that the magnitude

of the ROD monitoring program was not warranted, and decided to modify the program. This determination was based on the fact that the contaminant plume is attenuating, and the GAC system installed by Suffern Village has virtually eliminated the population's exposure to the low concentrations of TCEA present in the groundwater. NYSDEC prepared a Long-Term Monitoring Plan, dated October 9, 1991 with which EPA concurs.

The first-year ground water monitoring program has met the objectives set forth in the ROD. Water analyses indicate that the contaminant plume is attenuating, and support the conclusions of the Suffern Aquifer Model predictions. Further, the low levels of contamination in the production wells are below State drinking-water standards due to the recently installed GAC treatment system.

Having met the deletion criteria, EPA proposes to delete this site from the NPL. EPA and the State have determined that the response actions are protective of human health and the environment.

Dated: September 11, 1992.

Constantine Sidamon-Eristoff,

Regional Administrator.

[FR Doc. 92-23453 Filed 9-25-92; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 3160

[WO-610-4111-02-24 1A]

RIN 1004-AB72

Onshore Oil and Gas Operations; Federal and Indian Oil and Gas Leases; Onshore Oil and Gas Order No. 1, Approval of Operations; Reopening of Public Comment Period

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rule; Reopening of public comment period.

SUMMARY: A proposed rule that would revise Onshore Oil and Gas Order No. 1 was published on July 23, 1992 (57 FR 32756). The public comment period expired on September 21, 1992. The Order provides the requirements necessary for the approval of all proposed oil and gas exploratory, development, or service wells on all Federal and Indian (except the Osage Tribe) onshore oil and gas leases. It also covers most approvals necessary for

subsequent well operations, including abandonment. These approvals are granted by the Bureau of Land Management (BLM). The comment period is being reopened to provide the public additional time to comment on this important Order, which is fundamental to all oil and gas exploration and development.

DATES: Comments should be submitted by October 28, 1992. Comments received or postmarked after this date may not be considered in the decision process of the final rulemaking.

ADDRESSES: Comments should be sent to: Director (140), Bureau of Land Management, room 5555, Main Interior Building, 1849 C Street, NW., Washington, DC 20240. Comments will be available for public review at this address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday (excepting Federal holidays).

FOR FURTHER INFORMATION CONTACT: Lynn E. Rust, (307) 772-2293, or Erick Kaarlela, (202) 653-2127

Richard Roldan,

Deputy Assistant Secretary of the Interior.

[FR Doc. 92-23487 Filed 9-25-92; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92-214, RM-8062]

Radio Broadcasting Services; Columbia and Bourbon, MO

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by The Greenfield Group proposing the substitution of Channel 244C1 for Channel 244C3 at Columbia, Missouri, and modification of the construction permit for Station KCMQ(FM) to specify operation on Channel 244C1. The coordinates for Channel 244C1 are 38-37-40 and 92-07-00. To accommodate Channel 244C1 at Columbia, we shall propose to substitute Channel 297A for vacant Channel 244A at Bourbon, Missouri, or in the alternative, delete the channel at Bourbon if no applications are filed for Channel 244A and no interest is expressed in Channel 297A during the comment cycle in this proceeding. The coordinates for Channel 297A at Bourbon are 38-08-30 and 91-16-00. There is a site restriction 2.6